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Counsel to Joint Official Liquidators of Madison Asset LLC

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARTIN NICHOLAS JOHN TROTT
and CHRISTOPHER JAMES SMITH,
on behalf of and solely in their capacity
as the Foreign Representatives and Joint
Official Liquidators of MADISON
ASSET LLC (IN LIQUIDATION),

Case No. 1:20-cv-10299-MKV

Plaintiffs,

-against-

DEUTSCHE BANK AG,

Defendant.

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MOTION TO FILE REDACTED SECOND AMENDED COMPLAINT

Martin Nicholas John Trott and Christopher James Smith (“Plaintiffs”), as the Foreign Representatives and Joint Official Liquidators of Madison Asset LLC (“Madison”), a Cayman investment fund that is now in official liquidation proceedings before the Grand Court of the Cayman Islands, submit this motion for entry of an order that Plaintiffs’ Second Amended

Complaint against Deutsche Bank AG (“Defendant”) be filed in redacted form, pursuant to Section 6 of the SDNY Electronic Case Filing Rules and Instructions, Rule 9 of this Court’s Individual Rules of Practice in Civil Cases, SDNY Standing Order 19-mc-0583, and the Stipulated Confidentiality Agreement and Protective Order (ECF No. 34).

BACKGROUND

Pursuant to the Court’s Order dated May 11, 2021 (ECF No. 32), Plaintiffs must file their Second Amended Complaint today. This case was initially filed as an adversary proceeding in the United States Bankruptcy Court for the Southern District of New York, relating to the Chapter 15 proceeding for Madison overseen by Judge Michael E. Wiles. Plaintiffs filed their original Complaint in redacted form based on Defendant’s assertion that certain information, which Defendant had provided Plaintiffs during bankruptcy proceedings, was protected by a confidentiality agreement between the parties. After a telephonic hearing with the parties about the permissible scope of redactions, Judge Wiles orally specified the information to be redacted and memorialized that directive in a written Order dated November 19, 2020 (Bankruptcy Court ECF No. 15). On March 17, 2020, this Court authorized Plaintiffs to file their First Amended Complaint in redacted form consistent with Judge Wiles’ Order (ECF No. 23).

The majority of information that Plaintiffs seek to redact in this Second Amended Complaint was also redacted with the approval of this Court in Plaintiffs’ First Amended Complaint. Plaintiffs’ new amendments to the complaint also include certain information governed by Judge Wiles’ Order, as well as information that Defendant has designated as Confidential under the Stipulated Confidentiality Agreement and Protective Order entered by this Court (ECF No. 34).

REQUESTED RELIEF

Plaintiffs are prepared to file in this Court their Second Amended Complaint pursuant to this Court's May 11, 2021 Order (ECF No. 32). Plaintiffs move to file the Second Amended Complaint in redacted form that complies with Judge Wiles' Order and instructions and the Stipulated Confidentiality Agreement and Protective Order entered by this Court.

Dated: New York, New York
May 19, 2021

REID COLLINS & TSAI LLP

/s/ Jeffrey E. Gross

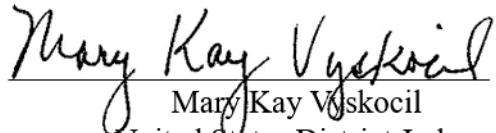
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Counsel to Plaintiffs

Granted. SO ORDERED.

Date: 5/20/2021
New York, New York



Mary Kay Vyskocil
United States District Judge